



SOME CAUSES OF DRUG-RELATED CRIME

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ABSTRACT

This article analyses some causes of drug-related crimes and issues related to the conditions that cause them.

KEYWORDS

Addiction, causes, causes, conditions, criminality, some, factors, criminal, person, committed.

INTRODUCTION

During the years of independence, a kind of national system and legal framework for combating drug-related crime was created in Uzbekistan. Thus, the norms of national legislation were improved; the Republican Council of Spirituality and Enlightenment, the Scientific and Practical Center for National Ideas and Ideology, the National Information-Analytical Center on Drug Control under the Cabinet of Ministers of the Republic of Uzbekistan, and the “Oila” Scientific and Practical Center were created. As a result, citizens have formed an ideological immunity, and a decrease

in the number of crimes related to drug addiction has been achieved.

All over the world, the search and finding of scientific solutions to the problems associated with the improvement of the administrative-legal, criminal-legal and criminological system of combating drug-related crime is becoming increasingly relevant.

According to the latest World Drug Report published by the United Nations Office on Drugs and Crime (UNODC), about 269 million people used drugs in 2018

worldwide. More than 35 million people suffer from substance use disorders.

The same report, referring to the trend of drug use, notes that in 2018, cannabis was the most consumed psychoactive substance in the world, and it was estimated. It has been consumed by 192 million people worldwide. However, opioids continue to pose the greatest health risk, as the total number of deaths from disorders associated with opioid use has increased by 71 per cent over the past decade, an increase of 92 per cent for women, compared with 63 per cent for men. The proportion of people who inject drugs (IDU) aged 15-64 in 2018 remains the highest in Eastern Europe (1.26 percent) and Central Asia and the Caucasus (0.63 percent). These ratios, respectively, are 5.5 and 2.8 times higher than the world average [1].

In accordance with the requirements of the Decree of the President of the Republic of Uzbekistan dated September 6, 2019, No. PP-4438 "On strengthening measures to prevent illegal circulation of medicinal products", as well as in pursuance of the provisions of this document, the following Resolutions of the Cabinet of Ministers of the Republic of Uzbekistan were adopted: dated September 27, 2019, No. 818 "On the regulation of the circulation of potent substances in the Republic of Uzbekistan"; of October 3, 2019, No. 842 "Measures to improve the system of providing drug treatment to the population of the Republic of Uzbekistan" Resolution of the President of the Republic of Uzbekistan, dated 05/16/2022 No. PP-244 "Additional Measures to further improve the system of providing drug treatment to the population" which have now strengthened the fight against crimes that infringe on people's health. They mention the irreparable harm to health that alcoholism, drunkenness, substance abuse, and especially drug addiction cause.

It should be noted that in terms of their negative impact on the human body, narcotic drugs are many times greater than the effect of alcohol. If physical dependence on alcohol is formed 7-15 years after the beginning of its systematic use, then from drugs - after one and a half to two months (for example, taking heroin once or twice leads to drug dependence). The disintegration of the personality due to the use of drugs or their analogues occurs many times faster than with the use of alcohol.

The social danger of drug addiction is also expressed in the fact that it acts as a significant criminogenic factor contributing to the commission of various (often-grave) crimes.

The link between drug addiction and crime manifests itself in three main forms:

First, drug addicts objectively and subjectively have an increased propensity to commit crimes. Since drugs have been withdrawn from free civil circulation, their very acquisition is criminal. At the same time, individuals suffering from drug addiction have significantly weakened individual-volitional control over their behavior, which contributes to the commission of various socially dangerous acts on their part.

Secondly, the existing demand for narcotic drugs generates a corresponding supply, the source of which is one or another criminal activity, production, storage, acquisition, sale, speculation, theft, consumption of drugs.

Thirdly, people who abuse various drugs have increased victimization and often become victims of crime.

Drug addiction is understood as addiction to drugs, which ultimately leads to profound degradation of the personality and disability.

The peculiarities of the spread of drug addiction indicate that in the social aspect, this problem affects many areas of life as an individual and society as a whole.

First, it creates a disease that is difficult to treat. Medicine within two or three months can remove a person's physical dependence on drugs, but as for mental dependence, the problem is still unsolvable: everything depends on the personality of the addict and the stage of the disease.

Secondly, it also covers the process of artificial withdrawal of people who abuse drugs from an active lifestyle: the addict loses his ability to work, that is, practically becomes disabled. He is not capable of being a family man who performs many socially useful functions.

Thirdly, because of drug abuse, serious changes occur in the human psyche: he ceases to realize the significance of his actions; he develops an odious need to find funds to purchase drugs. The high prices of drugs existing on the black market contribute to the development of an antisocial song about committing a crime in the addict.

Fourth, if a child is born to parents who are drug addicts, then, as a rule, he suffers from various kinds of anomalies. Such children are doomed, since the need for drugs is inherited by them.

Fifthly, drug addiction is an extremely dangerous form of corrupting people, gives rise to greed and money-grubbing of morally fallen and criminally acting persons who, often without consuming dope

themselves, enrich themselves for the health and lives of drug addicts.

Finally, sixth, as a rule, each drug addict involves in the use of narcotic drugs - an average of seven to eight people a year.

It seems necessary to consider other concepts related to illicit trafficking in narcotic drugs and psychotropic substances, including legislative.

In special literature, for example, narcotic drugs are substances, the use of which causes a state of special intoxication (euphoria), or has an intoxicating effect with a subsequent loss of strength, and with its prolonged use leads to severe mental illness and even death, that is, drugs, which affects the central nervous system with destructive force and irreversibility [2].

In Art. 3 of the Law "On Narcotic Drugs and Psychotropic Substances":

narcotic drugs are defined as - "substances of synthetic or natural origin, drugs containing drugs and plants included in the lists of drugs and subject to control in the Republic of Uzbekistan [3]";

psychotropic substances - substances of synthetic or natural origin included in the list of psychotropic substances and subject to control in the Republic of Uzbekistan;

precursors - substances used for the manufacture of narcotic drugs, their analogues and psychotropic substances, included in the list of precursors and subject to control in the Republic of Uzbekistan [4];

analogues of narcotic drugs and psychotropic substances - substances of synthetic or natural origin, chemical structure and properties similar to narcotic

drugs and psychotropic substances, the psychoactive effect of which they reproduce;

preparation - a mixture of substances in any physical state containing one or more narcotic drugs or psychotropic substances;

turnover of narcotic drugs, psychotropic substances and precursors - import (export), transit, storage, release, sale, distribution, acquisition, transportation, transfer, development, production, manufacture, as well as the use and destruction of narcotic drugs, psychotropic substances and precursors, and also the cultivation of narcotic plants;

specially authorized bodies - bodies exercising management and control in the sphere of circulation of narcotic drugs, psychotropic substances and precursors in accordance with the competence determined by the Cabinet of Ministers of the Republic of Uzbekistan.

The above concepts must be supplemented with the concept of "tranquilizers" - psychotropic drugs that are prescribed to the patient mainly in a state of anxiety and mental stress. It should be recalled that taking excessive doses of tranquilizers can be fatal.

The Criminal Code of the Republic of Uzbekistan contains a whole XIX chapter (Crimes constituting illegal circulation of narcotic drugs or psychotropic substances) of the problem we are considering. This chapter includes the following articles of the Criminal Code of the Republic of Uzbekistan:

Art. 270 - "cultivation of crops prohibited for cultivation";

Art. 271 - "illegal for possession of narcotic substances or psychotropic substances";

Art. 273 - "illegal manufacture, acquisition, storage and other actions with narcotic drugs or psychotropic substances for the purpose of sale";

Art. 274 - "Involvement in the use of narcotic drugs or psychotropic substances";

Art. 275 - "violation of the rules of production or handling of narcotic drugs or psychotropic substances";

Art. 276 - "illegal manufacture, acquisition, storage and other actions with narcotic drugs or psychotropic substances without the purpose of sale."

The public danger of the crimes under consideration is that drug use not only negatively affects the health of the population, but also leads to an increase in crime (the number of thefts and extortion for the purpose of immediate receipt of money is increasing). Various medicines can be made from the raw materials of drug-containing crops, chemical means (for example, opium, morphine and other drugs are obtained from the opium poppy, from Indian, and southern, Manchurian and other types of cannabis - hashish), the abuse of which causes drug addiction [5].

In science, criminology is a term for the concept of the cause and conditions of crime. The causes of this crime are socio-psychological determinants that are directly generated and reproduced by the crime and crimes as their natural consequence.

The condition of criminality is a complex of phenomena that by themselves cannot generate criminality, but serve as certain circumstances that contribute to its occurrence and existence.

The conducted research will allow us to identify some other causes and conditions conducive to the commission of crimes related to drug addiction.

Insufficiently active work of law enforcement agencies on the registration of persons prone to committing drug-related crimes. Thus, more than one third of those previously convicted for these crimes were not registered.

- lack of proper control over the household plots of collective farmers and other residents in order to prevent illegal sowing of drug-containing plants;
- weak control on the part of the heads of collective farms and administrative bodies over the crops of agricultural crops, among which are often sown drug-containing plants prohibited by law;
- the propensity of some part of the population to use drugs;
- failure of law enforcement officials to comply with the requirements of the relevant laws.

In cases of this category, the investigating authorities often issue orders to refuse to initiate a criminal case.

Therefore, if the total number of revealed facts of illegal cultivation of drug-containing crops for 2015-2020 in the studied regions of the Republic of Uzbekistan is conventionally taken as 100%, then the initiated criminal cases are about 80% the rest of the material (20%) is submitted to the public. In a similar way, the issue was resolved with respect to persons who are keen on the consumption, storage, purchase of drugs, although there were all grounds for bringing them to criminal responsibility in accordance with the norms of the criminal law:

- a small number of representations and particular definitions aimed at eliminating the causes of crimes and conditions conducive to their commission, made

by investigators and courts. So, according to the data of the study, presented by the investigators make up 65.3%, and the private rulings sent by the courts make up 75%. These data indicate that investigators and courts still do not issue representations and, in particular, definitions in all criminal cases in order to eliminate the causes of crimes and the conditions conducive to their commission. This serious shortcoming of the courts was pointed out by the Supreme Court of the Republic of Uzbekistan in a special resolution of September 11, 1998 No. 23, with amendments and additions introduced by the resolution of the Plenum of the Supreme Court of the Republic of Uzbekistan No. 5 dated February 3, 2006: "may be deprived of parental rights in the case of their guilty behavior: if they ... are patients with chronic alcoholism or drug addiction ... [6]";

- at the same time, the content of the presented ideas and particular definitions causes a certain concern [7];
- in a serious reason contributing to the commission of crimes is connected with drugs [8];
- other reasons and conditions conducive to drug-related crimes of law enforcement agencies; shortcomings in the organization of prevention work; general and individual prevention, taking into account the elements and also legal means;
- other unimportant reasons and conditions conducive to the crime of drug trafficking is the weak organization and treatment of drug addicts in special medical institutions Republic of Uzbekistan;
- the reasons and conditions contributing to the crimes of this crime is the rational non-use of free time and the organization of leisure time for young people and minors.

It would be possible to continue the list and conditions leading to the commission of the investigated category of crime, but at present time, in our opinion, the question of their elimination by the implementation of the effectiveness of preventive measures to combat them is becoming acute.

The materials presented in the chapters above allows us to draw the following conclusions:

1. Taking into account the criminological characteristics and prevention of drug-related crimes, the most effective prevention of these crimes should be obtained, striving to ensure that it is not only real and sufficiently complete, but also modern, reflecting the results of the analysis of crimes that have been committed in recent times;
2. There is a tendency towards a decrease in the number of drug addicts, but this does not mean that it is going to naught. This negative phenomenon (together with the drug-related crimes committed) remains highly latent. This situation is largely due to certain shortcomings not only in the socio-economic nature, but also in the organization of the activities of law enforcement agencies, designed to fight this type of crime;
3. The heads of law enforcement agencies continue to pay insufficient attention to the development of plans (both current and future) to combat drug trafficking and prevent this crime;
4. There is a lack of clear organization of interaction between the services of law enforcement agencies, as well as the public;
5. Insufficient level of professional training both in practical law enforcement agencies and in their special educational institutions to combat drug trafficking;
6. Insufficiently high armament of law enforcement agencies with special technical means of remote detection of drugs (in comparison with such developed countries as the USA, Canada, France, Germany and other European countries), as well as the availability of a sufficient number of devices for express diagnostics of consumers;
7. There is a need to establish closer contacts between law enforcement agencies with the Ministry of Health of the Republic in matters of registering people who use drugs, sowers of drug-containing crops;
8. It is important to identify reserves for improving the practice of referring drug addicts who maliciously evade voluntary treatment to medical and prophylactic institutions. Ministry of Health of the Republic of Uzbekistan;
9. Maps with the exact location of wild cannabis thickets, places of possible sowing of narcotic plants are not fully specified. The channels of transportation and the transport used in this case, which somewhat reduces the efficiency of complex operations such as "Black Poppy";
10. Insufficient level of general and individual prevention of crimes related to drug trafficking by law enforcement officers.

Recently, official documents and speeches of the leaders of states have specifically and objectively indicated many reasons and conditions that contribute to the growth of crimes related to drug trafficking.

Indeed, weak publicity, elements of social corrosion, the gap between word and deed negatively affect the spiritual mood of society and largely contribute to the emergence of a complex of causes and conditions that determine the commission of crimes motivated by drug addiction. This has especially become a "fertile" ground for the spread of drug addiction among minors

and young people, acutely and quickly reacting to the injustice, lies, bureaucracy and other vices of human society around them.

In addition to the above-mentioned facts that contribute to the commission of crimes related to drug trafficking, there are the other circumstances that are primarily due to the social status of the person who uses drugs, its socio-psychological nature, etc. In other words, each fact of drug use and the commission of crimes is caused not by one isolated cause, but by a combination of causes and conditions that operated at different times and under different circumstances.

Without taking this into account, it is impossible to explain why one person started using drugs and at the same time committed a crime, while the other, being in the same conditions, does not even think about drugs and, moreover, does not intend to commit negative actions, and therefore law enforcement agencies could not timely identify the causes and conditions for committing crimes related to drug trafficking. Here it should be clarified that the desire to use drugs, as a rule, does not arise suddenly, unexpectedly.

The totality of both positive and negative views, individual traits, habits and traditions is formed gradually, over a certain period of time, under the influence of positive or negative phenomena and processes, respectively.

Therefore, in relation to a specific person, phenomena and processes, in general, can only act as causes of an unfavorable personality formation and the emergence of antisocial views, skills, habits, etc. (in relation to our topic, the emergence of a desire to use drugs), that is, antisocial attitudes in the mind of the individual. Moreover, being in a certain situation, a person acts

already in accordance with his previously formed thinking.

Studying the causes and conditions of drug use and the commission of crimes by a particular person, it is necessary to cover, on the one hand, the conditions of life and education, the surrounding environment, and on the other hand, personality traits (needs, interests, relationships, moral values, emotional and volitional sphere) and the system of actions for a sufficiently long period to reliably restore the process of formation.

The social harm of drug use is also evident in the fact that its distribution causes huge material damage. In addition, as already mentioned, this has a negative impact on the behavior and education of young people. Therefore, we must remember that each of us is responsible for preventing the negative phenomenon of drug addiction.

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